



General Assembly

Amendment

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LCO No. 7167

HB0737707167HDO

Offered by:

REP. ROY, 119th Dist.

REP. CHAPIN, 67th Dist.

To: Subst. House Bill No. 7377

File No. 584

Cal. No. 478

**"AN ACT CONCERNING GREEN BUILDING CONSTRUCTION
STANDARDS FOR SCHOOLS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 10-286 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2007*):

6 (a) The amount of the grant approved by the Commissioner of
7 Education under the provisions of this chapter for any completed
8 school building project shall be computed as follows:

9 (1) For the fiscal year ending June 30, 1984, and each fiscal year
10 thereafter, in the case of a new school plant, an extension of an existing
11 school building or projects involving the major alteration of any
12 existing building to be used for school purposes, the eligible
13 percentage, as determined in section 10-285a, of the result of

14 multiplying together the number representing the highest projected
15 enrollment, based on data acceptable to the Commissioner of
16 Education, for such building during the eight-year period from the
17 date a local or regional board of education files a notification of a
18 proposed school building project with the Department of Education,
19 the number of gross square feet per pupil determined by the
20 Commissioner of Education to be adequate for the kind of educational
21 program or programs intended, and the eligible cost of such project,
22 divided by the gross square feet of such building, or the eligible
23 percentage, as determined in section 10-285a, of the eligible cost of
24 such project, whichever is less, provided, (A) any such project on
25 which construction was started prior to July 1, 1975, shall be
26 reimbursed under the formula in effect prior to said date, (B) any such
27 project on which construction or payments under this chapter were
28 started after June 30, 1975, but prior to July 31, 1983, shall be
29 reimbursed based upon the data, submitted for each such project and
30 accepted by the Department of Education during said period,
31 representing the number of pupils the plant was designed to
32 accommodate, (C) any project for which final grant calculation has
33 been made after June 30, 1975, but prior to July 31, 1983, shall be
34 reimbursed based upon such final calculation, and (D) any such project
35 for which estimated grant payments were begun prior to July 31, 1983,
36 shall be reimbursed based upon the calculation formula used in
37 making such estimated grant payments;

38 (2) In case of projects involving the purchase of an existing building
39 to be used for school purposes, the eligible percentage, as determined
40 in section 10-285a, of the eligible cost as determined by the
41 Commissioner of Education, provided any project for which an
42 application is made on or after July 1, 1995, involving the purchase and
43 renovation of an existing facility, may be exempt from the standard
44 space specifications, and otherwise ineligible repairs and replacements
45 may be considered eligible for reimbursement as part of such a project,
46 if information is provided acceptable to the commissioner
47 documenting the need for such work and the cost savings to the state

48 and the school district of such purchase and renovation project in
49 comparison to alternative construction options;

50 (3) If any school building project described in subdivisions (1) and
51 (2) of this subsection includes the construction, extension or major
52 alteration of outdoor athletic facilities, tennis courts or a natatorium,
53 gymnasium or auditorium, the grant for the construction of such
54 outdoor athletic facilities, tennis courts and natatorium shall be limited
55 to one-half of the eligible percentage for subdivisions (1) and (2) of this
56 subsection of the net eligible cost of construction thereof; the grant for
57 the construction of an area of spectator seating in a gymnasium shall
58 be one-half of the eligible percentage for subdivisions (1) and (2) of this
59 subsection of the net eligible cost of construction thereof; and the grant
60 for the construction of the seating area in an auditorium shall be
61 limited to one-half of the eligible percentage for subdivisions (1) and
62 (2) of this subsection of the net eligible cost of construction of the
63 portion of such area that seats one-half of the projected enrollment of
64 the building, as defined in subdivision (1) of this subsection, which it
65 serves;

66 (4) In the case of a regional vocational agriculture center or the
67 purchase of equipment pursuant to subsection (a) of section 10-65 or a
68 regional special education facility pursuant to section 10-76e, an
69 amount equal to the eligible cost of such project, as determined by the
70 Commissioner of Education;

71 (5) In the case of a public school administrative or service facility,
72 one-half of the eligible percentage for subdivisions (1) and (2) of this
73 subsection of the eligible project cost as determined by the
74 Commissioner of Education, or in the case of a regional educational
75 service center administrative or service facility, the eligible percentage,
76 as determined pursuant to subsection (c) of section 10-285a, of the
77 eligible project cost as determined by the commissioner;

78 (6) In the case of the total replacement of a roof or the total
79 replacement of a portion of a roof which has existed for at least twenty

80 years, or in the case of the total replacement of a roof or the total
81 replacement of a portion of a roof which has existed for fewer than
82 twenty years when it is determined by a registered architect or
83 registered engineer that such roof was improperly designed or
84 improperly constructed and the town is prohibited from recovery of
85 damages or has no other recourse at law or in equity, the eligible
86 percentage for subdivisions (1) and (2) of this subsection, of the eligible
87 cost as determined by the Commissioner of Education. In the case of
88 the total replacement of a roof or the total replacement of a portion of a
89 roof which has existed for fewer than twenty years (A) when it is
90 determined by a registered architect or registered engineer that such
91 roof was improperly designed or improperly constructed and the town
92 has recourse at law or in equity and recovers less than such eligible
93 cost, the eligible percentage for subdivisions (1) and (2) of this
94 subsection of the difference between such recovery and such eligible
95 cost, and (B) when the roof is at least fifteen years old but less than
96 twenty years old and it cannot be determined by a registered architect
97 or registered engineer that such roof was improperly designed or
98 improperly constructed, the eligible percentage for subdivisions (1)
99 and (2) of this subsection of the eligible project costs provided such
100 costs are multiplied by the ratio of the age of the roof to twenty years.
101 For purposes of this subparagraph, the age of the roof shall be
102 determined in whole years to the nearest year based on the time
103 between the completed installation of the old roof and the date of the
104 grant application for the school construction project for the new roof;

105 (7) For the fiscal year ending June 30, 1984, and for each fiscal year
106 thereafter, in the case of projects to correct code violations, the eligible
107 percentage, as determined in section 10-285a, of the eligible cost as
108 determined by the Commissioner of Education;

109 (8) In the case of a renovation project for which an application is
110 made on or after July 1, 1995, the eligible percentage as determined in
111 subsection (b) of section 10-285a, multiplied by the eligible costs as
112 determined by the commissioner, provided the project may be exempt
113 from the standard space specifications, and otherwise ineligible repairs

114 and replacements may be considered eligible for reimbursement as
115 part of such a project, if information is provided acceptable to the
116 commissioner documenting the need for such work and the cost
117 savings to the state and the school district of such renovation project in
118 comparison to alternative construction options;

119 (9) In the case of projects approved to remedy certified school
120 indoor air quality emergencies, the eligible percentage, as determined
121 in section 10-285a, of the eligible cost as determined by the
122 Commissioner of Education;

123 (10) In the case of a project involving a turn-key purchase for a
124 facility to be used for school purposes, the eligible percentage, as
125 determined in section 10-285a, of the net eligible cost as determined by
126 the Commissioner of Education, except that for any project involving
127 such a purchase for which an application is made on or after July 1,
128 2006, (A) final plans for all construction work included in the turn-key
129 purchase agreement shall be approved by the Commissioner of
130 Education in accordance with section 10-292, and (B) such project may
131 be exempt from the standard space specifications, and otherwise
132 ineligible repairs and replacements may be considered eligible for
133 reimbursement as part of such project, if information acceptable to the
134 commissioner documents the need for such work and that such a
135 purchase will cost less than constructing the facility in a different
136 manner and will result in a facility taking on a useful life comparable
137 to that of a new facility.

138 (11) On or after January 1, 2008, in the case of a project for the
139 construction of a school building that is projected to cost not less than
140 five million dollars, or a project for the renovation of a school building
141 that is projected to cost not less than two million dollars where such
142 construction or renovation project is consistent with or exceeds the
143 building construction standards developed pursuant to subsection (b)
144 of section 16a-38k, one hundred per cent of the incremental costs of
145 construction or renovation that are attributable to conforming such
146 renovation or construction to said standards, as documented by school

147 administrators and approved by the Commissioner of Education, in
148 consultation with the Secretary of the Office of Policy and
149 Management."